

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Wilton Board of Education

Appearing on behalf of the Parent: Attorney Ellyn Polishook-Ulfsson
Law Office of Joseph Hubicki, LLC
PO Box 246
Redding, CT 06896

Appearing on behalf of the Board: Attorney Christopher Tracey
Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Appearing before: Laura Share, Esq.
Hearing Officer

FINAL DECISION AND ORDER

ISSUES:

1. Did the District fail to implement Student's IEP, as written, during the 2017-18 school year with respect to those objectives that specifically required Student to demonstrate functional skills in "unstructured" settings in order to achieve mastery?
2. If yes, does the District owe the Student compensatory educational services to teach student those functional objectives in community unstructured settings that were not targeted in the 2017-18 school year?
3. If yes, is Parent entitled to reimbursement for private service costs she expended for Connec-to-Talk and Communication Clinic of Connecticut to target such objectives with Student in the Community to teach him to generalize the functional objectives in unstructured settings, per the IEP?
4. Did the District fail to offer Student FAPE for the 2018-19 school year by refusing to provide IEP goals and objectives to be achieved in community settings, as proposed by Parent, to meet his individualized needs?
5. Did the District fail to offer Student FAPE for the 2018-19 school year by refusing to provide Student with additional speech and language therapy proposed by Parent in order to sufficiently target the Communication goals and Objectives that were agreed to for Student to make adequate progress?

6. Did the District violate Procedural Due Process requirements and safeguards by failing to timely provide the IEP and Prior Written Notice within 5 days, instead producing an IEP and PWN 30 days subsequent to the PPT Meeting, which included an inaccurate PPT Meeting Summary and PWN that failed to accurately reflect what transpired during the meeting, what was proposed and what was refused?
7. Did the District fail to document the Administrator's offer to provide Student with 2 weeks of Supplemental bridge services for the last two weeks of August 2018 with district therapists and educators?
8. If yes, must the District provide Student with 10 hours per week of behavioral support, speech and language therapy, academic programming and community-based generalization lessons for the last two weeks of August 2018?
9. Alternatively, is Student entitled to bridge services the last two weeks of August 2018 by way of 10 hours per week of behavioral support, speech and language therapy, academic programming and community-based generalization lessons for the last two weeks of August 2018?

PROCEDURAL HISTORY/SUMMARY:

The Student initiated this special education due process case on 5/3/18. This Impartial Hearing Officer was assigned to this case on 5/4/18. A Prehearing Conference was convened on 5/8/18. Attorney Polishook-Ulfsson appeared on behalf of the Student and Attorney Tracey appeared on behalf of the Board of Education. It was established that the deadline for filing the final decision in this case is 7/7/18. An evidentiary hearing was scheduled for 7/10/18.

On 7/10/18, this Impartial Hearing Officer opened the hearing. Attorney Tracey appeared and Attorney Polishook-Ulfsson did not appear due to a family emergency. Both attorneys represented that they were negotiating this matter in good faith and requested a postponement of the first day of hearing, and an extension of the mailing date of decision. On 7/17/18, said request was granted and the deadline was extended to 8/17/18. The hearing was scheduled to commence on 8/6/18 and then rescheduled to commence on 8/13/18.

On 8/7/18, Attorney Polishook-Ulfsson reported to the Impartial Hearing Officer that she would like to withdraw the subject due process complaint with prejudice since the parties finalized a settlement agreement.

ORDER:

The matter is **DISMISSED** with prejudice.